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CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

BY: *[Signature]*

DEPUTY

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF CALIFORNIA

In re Ex Parte Application of

APPLE INC.; APPLE RETAIL GERMANY
GMBH; and APPLE SALES
INTERNATIONAL,

Applicants,

For an Order Pursuant to 28 U.S.C. § 1782
Granting Leave to Obtain Discovery from
Qualcomm Incorporated for Use in Foreign
Proceedings.

Case No.:

*12CV147-LAB(POR)
OK per CT
~~12CV0080 JAH WMC~~*

ORDER GRANTING APPLE'S
EX PARTE APPLICATION FOR
AN ORDER PURSUANT TO 28
**U.S.C. § 1782 GRANTING LEAVE TO
OBTAIN DISCOVERY FOR USE IN
FOREIGN PROCEEDINGS**

ORDER RE EX PARTE APPLICATION
ORDER PURSUANT TO
28 U.S.C. § 1782

1 This matter comes before the Court on the *Ex Parte* Application of Apple Inc.;
2 Apple Retail Germany GmbH; and Apple Sales International ("Apple") for an Order to
3 Obtain Discovery for Use in Foreign Proceedings pursuant to 28 U.S.C. § 1782(a) (the
4 "Application"), which seeks documents from Qualcomm Incorporated ("Qualcomm") in
5 connection with various foreign patent litigations pending between Apple and Motorola, Inc.,
6 Motorola Mobility, Inc. and their affiliates.

7 The Court, having fully considered the papers on file and submitted herewith, and
8 good cause appearing:

9 **HEREBY GRANTS** the Application of Apple.

10 **IT IS HEREBY ORDERED THAT APPLE IS GRANTED LEAVE TO** issue a
11 subpoena for documents in substantially the form attached as Exhibit B to the Application,
12 directing Qualcomm to produce the documents requested in the subpoena at the offices of
13 counsel for Apple, Wilmer Cutler Pickering Hale and Dorr LLP, 950 Page Mill Road, Palo
14 Alto, California 94304 or another location mutually agreeable to Apple and Qualcomm.

15 It is further ORDERED that copies of the Application and Memorandum in Support
16 thereof and this Order shall be mailed to the following:

17
18 Qualcomm Incorporated
5775 Morehouse Drive, San Diego, California, 92121

19 **IT IS SO ORDERED.**

20
21 Dated: 1/24/12

22 
United States Magistrate Judge